—By BUD FISHER

Court of Appeals Sustains Secretary Lane in Indian Land Case.

The District Court of Appeals, in an apinion by Justice Van Orsdel, today reversed the judgment of the District Supreme Court and directed the dismissal of a petition for mandamus against Franklin K. Lane, Secretary of the Interior. The proceedings were instituted in the lower court by the Duncan Townsite Company to compel the issuance of a patent for certain lands in Oklahoma to Nichelas Alberson, a deceased Chickasaw Indian.

The Indian's name was placed by the Dawes commission on a partial list of members by blood of the Chickasaw nation. The list was approved by the then Secretary of the Interior Decem-ber 12, 1902. A stipulation between the United States and the Indians provided that the rolls should contain only the names of persons living Sep-tember 25, 1802. It was administed that Alberson died prior to that date. An administrator of the dead Indian selected the lands in controversy as part of the allotment to which Alber

procured and no question of fraud is procured and no question of fraud is involved. But a different situation is presented where, as in the present case, Alberson, the allottee, was not in existence on September 25, 1902, and was, therefore, not entitled to participate in the allotment of the tribal property. That it is within the supervisory power of the Secretary of the Interior to withhold the issuance of a patent for public lands when he is satisfied that

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Eno's "Fruit Salt"

aly by J. C. ENO, Ltd., London, S. E., Eng. Agents for the Continent of America: MUTT AND JEFF-Jeff Had a Pretty Good Hand-He Had Four Kings.

(Copyright, 1915, by H. C. Fisher. Trade mark reg. U. S. Pat. Off.)



part of the allotment to which Alberson, if alive, would have been entitled. The petitioners acquired the interests of the heirs of Alberson and sought to assert its rights as an innocent purchaser.

In January, 1908, the attention of the department being called to the death of the Indian, the Secretary of the Interior declared him not entitled to the land, withheld the patent and has since allotted the land to other parties.

Question of Fraud Involved.

"It may well be that only the ministerial duty," says Justice Van Orsdel "remains in the Secretary of the Interior of issuing a patent where the allotment certificate has been procured by fraud is well settled."

The court points out that to sustain the contention of the company would compel the Secretary to perpetuate a fraud to do an unlawful act—to issue a patent to a person who, for the purpose of this case, never had any legal existence.

Attention is also called to the fact that the rights of an innocent purchaser cannot be determined on a mandamus hearing, and whatever right the company may have to assert its claim of innocent purchaser in a court of competent jurisdiction or to defend in an action by the government to cancel the certificate of allotment, it is not entitled to a mandamus.

WINTER CRUISING ORDERS OF COAST GUARD CUTTERS

Shift of Officers Commanding Vessels Ordered-Itasca Going to Porto Rico.

Within two weeks orders to com manding officers of coast guard cutters, instructing them to make ready for winter cruising, will be sent out.

When the usual cruising orders were sent out last fall the coast guard did not exist in its present form, but as the revenue cutter service and the lifestar list. Look in his 1001 saving service. The amalgamation of these humanitarian services is expected to make the work more efficient, At the request of naval officials the Miami was sent to Havana to aid the disabled torpedo beat Mackenzie to Key West. The Miami convoyed the

Shift of Captains.

commanding officers of several cutters, both on the Atlantic and Pacific coasts. Capt. Harry Hamlet, now in command of the Unalga, on the north Pacific station, is ordered to the depot at Arundel Cove, Md. He will be succeeded by Capt. F. C. Dodge, in command of the cutter Manning, at San Francisco.

Capt. S. B. Winram will go from the Gresham, at Boston, to the Manning. Capt. B. H. Camden, in command of the cutter Miami, on the Key West station, will take charge of the Gresham. Capt. Charles Satterlee is detached from the cutter Acushnet, on the Woods Hole station, and will assume command of the tion, and will assume command of the

The new commanding officer of the Acushnet has not yet been selected. Following precedents, he will probably be a first lieutenant.

a first lieutenant.

Owing to the fact that the shipyards in the vicinity of New York are so filled with work that the coast guard officials could get no bids on proposals for repairs to the cutter Mohawk, she will be brought to the depot at Arundel Cove within the next two weeks. There she will be put in trim for winter work. Orders for the week are as follows: Capt. N. B. West, detached Tallapoosa, to temporary command of New York division.

Capt. F. C. Dodge, preparatory orders

to Unalga. Capt. S. B. Winram, preparatory orders First Lieut. H. R. Searles, preparatory orders to McCulloch.
First Lieut. C. F. Howell, detached
Mohawk, to Manning.

Addresses Colored Y. W. C. A.

Dr. Marie B. Lucas, formerly a public school teacher in this city, delivered an address before the Young Women's Christian Association, colored, yesterday afternoon on "The Correlated Action of the Lungs, Kidneys and the Skin," in the the Lungs, Kidneys and the Skin," in the lecture room of the new home of that organization, 5th and T streets northwest. Dr. Lucas has been on the staff of physicians at Freedmen's Hospital about a year, and is assigned to the children's department. Heretofore the children's clinic was small compared with other clinics in the hospital. This was due to the fact that it was not generally known that there was a special department for the treatment of children's diseases.

Destiny," "The Inspired Life" and "Lords of Destiny," "The Inspired Life" and "Lords of the law." Tonight's lecture is to begin at \$:15 o'clock.

Mr. Rogers is a national lecturer of the Theosophical Society, and is the author of a number of books on various phases of theosophy.

Child Injured by Bicycle.

While playing near Wiscomin avenue and Grace street yesterday afternoon
Julia Epps, colored, six years old, 3203
Cherry hill, was knocked down by a
bicycle ridden by Charles Nelson, 3214
Grace street, and her left arm fractured.
The injured child was taken to Georgetown University Hospital.

BOOKED SATURDA

W. C. and W. Club to Meet Baltimore Organization Here in Big Match.

BORIS KOSTICS TO GIVE EXHIBITIONS THURSDAY

Noted Master Comes to Washington for Two-Day Visit-Roberts Leads.

The Baltimore Chess Association has accepted the challenge of the Wash-ington Chess and Whist Club for a team match on from ten to twelve boards to be played in the local clubrooms Saturday evening, November 6 During the past twenty-five year eighteen matches have been contested between these two clubs, the score standing square at 9 to 9, so the fight to gain the lead in the present match is sure to bring out the strongest players and the best efforts of both organizations. Local chess fans are cordially invited to witness this event. disabled torpedo boat machinal to the inter-city match Saturday. Boris Kostics, the celebrated blindfold expert, will appear be fore the Washington Chess and Whist taken in tow to her destination.

And for sale by all first-class dealers throughout the U.S.

IMENIOR OF LA Grippe, series below the cutter in the cutter it is accessed by a complete the cutter seminole on the San Juan, Porto Rico, station, has arrived at Marcus Hook, Delaware river, to receive fumigation by the government health authorities, in order to exterminate the waterbugs that infest her. When this is done the cutter will at once leave for her destination.

On arrival of the Itasca at San Juan the Seminole will return to station at the semin As a preliminary to the inter-city

tion chess and checker championship of the United States" between Newell S. Banks, checker champion, and Frank the apt criticism applied to one of our pletely de could easily accumulate ten goose eggs at checkers, and Banks just as easily draw the match by dropping the ten games of chess. However, the prospec opened up by this innovation is rosy to the degree of searlet. Think of the possibilities of a match for the combined chess and heavyweight prize fighting championship of the country.

Roberts took the lead in class A in the Capital City Chess and Checker Club tourney last week, when Ballou lost while Roberts was winning. The standing of

Roberts Bailon Beadle Adams Cannon Pasch		L. 0 1 1 1 1 2	Peet 0 Ray 0 Buntenbach 0 Gwyer 0 Chase 0
piay a	match w	ith	eam is scheduled the Georgetown of

she will be put in trim for winter work. Orders for the week are as follows:
Capt. N. B. West, detached Tallapoosa, to temporary command of New York division.
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Capt. B. H. Camden, preparatory orders to Gresham.
Capt. Charles Satterlee, preparatory orders to Gresham.
Capt. Charles Satterlee, preparatory orders ders to Miami. KING'S BISHOP'S GAMBIT.

White. Witsch. Black P-K4 Shack	Ņ	Maljutin.	Rabino-	Maljutin.	Rabino-
1 P-K4 P-K4 3 B-B4 Kt-KB3(a) 3 Kt-KB4 PxP 3 B-B4 Kt-KB3(a) 4 Kt-QB3 Kt-B3 5 Kt-B3 B-Kt5 6 Kt-Q5(b) Ktr 7 Castles Cartles 35 K-R4 8 P-Q4 P-Q3(c) 9 BxP(d) R-KB4 11 P-OR4 P-Q3(c) 12 P-QKt4 B-R4 11 P-OR4 P-QR3 11 Q-K5 B-R2 11 Q-K5 B-R2 14 QR-K Kt-K4(e) 15 Kt-K3(f) KtrKtch 16 Pxkt Kt-Q7 17 Q-R2 KtrBig) 18 KxrB Kt-K4(f) 18 KxrB Kt-K4(f) 19 Bxkt Q-Kt4ch 20 Q-K2 QxQch 21 KxQ PxB 22 KxrB(f) KtrKtch 46 KxrB 47 Kt-K4(f) 48 K-K5 48 K-K5 48 KxrB 50 KxrB 50 K-K4 5	8	White.	witsch.	White.	witsch.
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			P-QB3	55 O-Kt2ch	
		28 K-Q3	P-KR4		

clinics in the hospital. This was due to the fact that it was not generally known that there was a special department for the treatment of children's diseases.

Course of Lectures on Theosophy.

A course of five lectures on theosophy is to be inaugurated tonight by L. W. Rogers of Los Angeles at the hall of the Washington Theosophical Society, 1216 H street northwest. The topics of the lectures, as announced, are "The Living Dead," "Reincarnation," "The Laws of Destiny," "The Inspired Life" and "Lords" losses a pawn, but it is doubtful whether Black had any better move at his disposal. Although a pawn thead, he had much the possil.

whining a pawn. If, however, 9.... B. K.B., then 10. Kt.-Kib. The atening to win by 11. Ktr Ktch.

(e) This loses a pawn, but it is doubtful whether Black had any better move at his disposal. Although a pawn ahead, he had much the inferior game because of his eramped position.

(f) White could also have won back the pawn by first capturing the knight, but this would not have been so good as the text move, as it would have brought Black's KB into play, e.g., 15. Br.Kt. Fr.B.; 16. Kt.-K3. B.-KKE3; 17. Pap. (g) If 7.... Ktr.K, then 18. Ktr.K3, B.-KES; 17. Pap. (g) If 7.... Ktr.K, then 18. Ktr.K3, and White would have won two pieces for the rook, as Black's Kt would have had no escape.

(g) If 7.... Ktr.K, then 18. Ktr.K3, and White would have won two pieces for the rook, as Black's Kt would have had no escape.

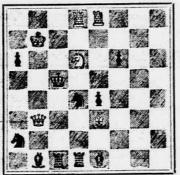
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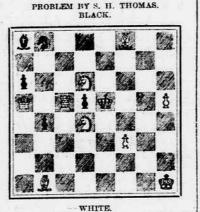
(g) If 7.... Ktr.K, then 18. Ktr.K3, and White would have won two pieces for the rook, as Black's Kt would have had no escape.

(g) If 7.... Fr.B.; because of 20. Q.-Kt.Zch, L.Ktr.Ph., winning the Q1: 20. Q.-Kt.Zch, L.Kt.Ph., winning the

with the better pawn position for the end gar (k) A finely played game by Maljutin. PROBLEM BY C. CALLENDER.



1. Q-R4.



KxKt 1. K-B3 or B5 2 Q-KR2, etc.

Make Problem of Provisioning Army Before Riga a

Serious One.

LONDON, November 1.—Germany's Marshall, chess champion, brings to mind plans in the Riga district have been comoralized by the successful campaign of British submarines in the celebrated athletic actors, "as an actor campaign of British submarines in the he was an excellent pitcher." Marshall Baltic sea and the complete closing of the Gulf of Riga by Russian mine fields, says the Petrograd correspondent of th

> "The Germans are now endeavoring with the most feverish energy," the cor respondent says, "to hasten the restora tion of the slender and inadequate rail way services in their rear. This work heretofore has been carried on in leisurely fashion because of the belief that present needs could be adequately served by the

Snow Already Falling.

"This plan of campaign has been made the Russians declare presage a winter of unusual severity.

"The belief here is that when the Germans are compelled o undergo the rigors of a real Russian winter, con stantly annoyed by guerrilla attacks and with inadequate supply facilities comes from even the worst defeats in the field. It is reported that the Germans already are experiencing terrible hardships and severe epidemics of sickness, although the weather still is what the Russian soldiers call warm."

STEEL HELMETS FOR BRITISH.

Head Protectors Said to Make Soldiers Look Like Crusaders. LONDON, November 1 .- On some parts

of the Flanders battle front the Britis army authorities have begun serving out to the men in the fire trenches steel helmets similar to those introduced by the French. The British hel met is perfectly plain and not decorated like the French, which has a granade crest and a rigid crown. The British helmet exactly resembles

a pudding basin. It is lined with soft lead and, while light, is very warm. The men are said to be delighted with the new equipment because of the added sense of security against splinters bullets and bomb fragments. One report says that in a small section of the trenches thirty men were saved from serious head wounds during the first four days of the experiment. The helmet lends a bizarre air to the troops, who wear it over the Balaklava wood helmet, giving them the appearance of crusaders.

Serbs Accused of Atrocities.

BERLIN, November 1, via Sayville,

DR. M'KIM WARNS CHURCH BISHOPS

Five Resignations From P. E. Mission Board Made Subject of Sermon.

COMMENT ON REASONS FOR THE ACTION TAKEN

Position of the Retiring Members Is Explained in Statement by Bishop Weller.

"Today, under a solemn sense of duty to the church of God. I warn you against the party that would revolutionize our church by destroying its Protestant character." Such was the satement made yesterday by Rev .Dr. Randolph H. McKim, in his morning sermon at the Church

of the Epiphany, in which he took issue with five dignitaries of the church who resigned from the Episcopal board of missions at its quar terly meeting held in New York last week, because they could not agree with the plan of the board to send delegates to the Panama interdenominational missionary congress to be held in February.

Object of the Congress. Dr. McKim explained the purpose of the "Panama congress" thus:

"It is a conference of Christian peo-ple of various different churches for the purpose of studying social and moral conditions in Latin American countries in order to prosecute moral intellectual, religious, educational and social work in those countries. The preparation for the congress has been made under the direction of such

that have been made by opponents of Episcopal participation to the effect that the congress involves an insult to the Church of Rome, and that it is excluded from the conference, Dr. Mc-"The Panama congress is not organ

zed for legislation on ecclesiastical questions, or even on that of a missionary policy, but for the honest in-vestigation of the problems of mis-sionary work in Latin America, and for full brotherly conference as to how the needs of Latin America can be most effectively met by the gospel of the "It is not true that the predominant note in the Congress will be anti-

"It is not true that the Roman Catho-lic Church is excluded from the con-

gress.
"It is not true that the purpose of the congress is to proselyte members of the Roman Catholic Church.
"With this understanding of the spirit and the purpose and the scope of the Panama congress," said Dr. McKim, "I think you will agree with me that it was wise and right and Christian for the board of missions to vote to send the board of missions to vote to sen delegates to attend the conference.

Sentiment Against Rescinding. "I rejoice, therefore, and I believe

you will rejoice with me, that at the meeting of the board Tuesday last the proposition to rescind the action taken in May, when it was decided to send delegates to the said congress, was overwhelmingly defeated by a vote of overwheimingly deteated by a vote of 26 to 13—two to one. It is, however, a painful fact that upon such a proposition—so wise, so reasonable, so Christian—their should not have been a unanimous sentiment in our board.

As to the grounds upon which this important action was so vehemently opposed, there was no unanimity. Some

splendid leaders as John R. Mott and Robert E. Speer, and a comprehensive study of the fundamental facts of Latin American life has been undertaken. Eight commissions have been intrusted with this preparatory study. They are composed of 215 persons—Latin Americans. North Americans and Europeans. "These reports are being sent to experts in all these countries for searching criticism. After revision in the light of these criticisms, the eight reports will be sent to the delegates and published, following the congress, in three large volumes making, we hope, a real contribution to the limited literature which undertakes a fair, sympathetic and accurate statement of the deeper things of Latin American life."

Conference on Missionary Work.

Coming to the point of the assertions that have been made by opponents of

character."
Strongly upholding the resolution of the board of missions to send delegates to the Panama congress, Dr. McKim made the following "affirmations".
"I beg you to observe," he said, "that this attempt to deny the Protestant character of our beloved church is something of alien and recent origin. Not until the middle of the nineteenth century did such an idea begin to be

was one of the five church dignitaries who resigned last week when the quar-terly meeting of the board of missions refused, by a vote of 26 to 13, to re-scind the resolution adopted last May to participate in the Panama congress Seven delegates were elected to attend

Members Who Resigned. The five members who tendered their resignations at that time were Bishop

John grounds of expense of the bitter opposition of a portion of the bitter opposition of a portion of the church.

"Others evidently voted upon a complete misinterpretation of the spirit and purpose of the said congress, although it almost passes comprehension that any one could have been in doubt what the real spirit and purpose of the congress is. A few—and they the leading spirits in the opposition, the men who displayed extraordinary bitterness on the question—were dominated, I regret to say, by their antagonism to Protestantism in any form. It is impossible to doubt that the fundamental objection of this group was to any recognition on our part of fellowship with other Protestant communions and to any acknowledgment that this church is based upon Protestant principles."

Sees Danger of Church Revolution.

"Today, under a solemn sense of duty to the truth of God, I warn you against the party that would revolutionize our church by destroying its Protestant character."

Strongly upholding the resolution of the board of missions to send delegates to the Panama congress, Dr. McKim made the following "affirmations":

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"I beg you

Occupies a Middle Ground

'For several centuries the Episcopal Church has stood as the middle ground Something of alien and recent origin. Not until the middle of the nineteenth century did such an idea begin to be promulgated, and only within the last generation has it obtained any considerable adherence in our church.

"Let me reiterate, then: This is not, as the newspapers have said, 'an Episcopal split on fighting the Pope'; the issue involved is quite different from that—it is whether the principles of the reformation and the doctrines of our prayer book shall be overthrown by this anti-Protestant movement in our midst.

"Twenty years ago I warned you of a counter reformation agitation in our church. Four years ago I called you to battle against the effort to blot out the Protestant name of this church. Today, under a solemn sense of duty to the truth of God, I warn you against the party that would revolutionize our church by destroying its Protestant Episcopic Reappears in Illinois.

Epizootic Reappears in Illinois.

In regard to the recent reappearance of in new them. interpreter between the Roman

In regard to the recent reappearance o in northern Illinois of the foot and mouth epizootic after it apparently had been stamped out early in the year, the Department of Agriculture has issued an official statement from which it appears that the outbreak has been def-

1.19

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\$1000.00 Reward!

"MISSING!-George Warham offers a reward of \$1000.00 for information as to the whereabouts of Mrs. Susan Ferguson, née Susan Lenox, his young niece."

Susan Lenox was forced by her uncle to marry a brutal farm hand. After the first night with him she fled, finding safety with a troupe of river actors. Now the words of that fateful newspaper paragraph seemed to threaten her security and imperil her future.

These new companions were social outcasts-and pathetically poor. A thousand dollars meant a fortune to them. With money so scarce and so useful, little would they scruple how they got it. It would be natural for them to recognize in her the missing niece of George Warham.

Would they deliver her back to the life which now was but a hideous memory? Better death than further degradation at the hands of her drunken husband.

"The Story of Susan Lenox" will stir your very Isoul. Susan's trials have only just begun. You will read with breathless interest her hard struggle against hunger, cold, anxiety, and the last, worse danger that threatens every helpless woman. The whole country is talking about

today in

by David

November Parst's

Buy your copy now before 119 West 40th the newsstands sell out.



You Must Read This Story

The heroine is depicted as an illegitimate child, and the purpose of the fiction is to show the blight of unhappy birth. Susan, beautiful and intelligent, is admired, but shunned by the whole village. She loves Sam Wright, a rich college boy. The village gossip about their attachment prompts Susan to run away to Cincinnati, Her uncle finds

Susan to run away to Cincinnati. Her uncle finds her, insists she has gone the way of her mother, and that Sam must marry her. To save the Warham name the stern uncle compels the innocent Susan to marry a low-bred farmer. Start "The Story of Susan Lenox" today. It is but one of the many great features that make Hearst's Magasine command your attention. "We Three," by Gouverneur Morris; "Rainbow's End," by Rex Beach, and a Marie Corelli novel, her first to appear in serial form, both to start soon, and the best work of Robert W. Chambers, George Randolph Chester, Larry Evana, Arthur Stringer, Henry C. Rowland, Mr. Déoley," James Montgomery Flags, Clarence Underwood, Heward Chandler Christy and many others.

